

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**UNITED STATES OF AMERICA,**

**VS.**

**CRIMINAL ACTION NO. 4:07CR140-P-B**

**JOSE SANTOS GONZALES AND  
TARRASCO STEEL COMPANY, INC.,**

**DEFENDANTS.**

**ORDER CONTINUING TRIAL**

This matter comes before the court upon Defendants' fourth Motion for Continuance [60].

After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for January 7, 2008. Defense counsel requests additional time given there are approximately seven pretrial motions pending that have not yet been fully briefed, some of which may require an evidentiary hearing.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from December 3, 2007 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendants' counsel more time to adequately prepare for his clients' defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

Furthermore, trial is continued pursuant to section 3161(h)(1)(F) ("delay resulting from any pretrial motion, from the filing of the motion through the conclusion of the hearing on, or other prompt disposition of, such motion") in order to allow the pending pretrial motions to be fully briefed and ruled upon.

**IT IS THEREFORE ORDERED AND ADJUDGED** that:

(1) Defendants' Motion for Continuance [60] is **GRANTED**;

(2) Trial of this matter is continued until Monday, March 3, 2008 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

(3) The delay from January 7, 2008 to March 3, 2008 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is February 11, 2008; and

(5) The deadline for submitting a plea agreement is February 18, 2008.

**SO ORDERED** this the 17<sup>th</sup> day of December, A.D., 2007.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE